



NCLA Demands that Bureau of Prisons Follow the Law in Recalculating Prison Sentences for Thousands in Custody

Robert Shipp v. U.S. Bureau of Prisons

WASHINGTON, DC-- Robert Shipp has served his time and then some, but the U.S. Justice Department's Bureau of Prisons (BOP) refuses to apply a statutory recalculation for "good time" credit to his sentence until July 19, 2019. The BOP has already recalculated Mr. Shipp's release date as May 6, 2019 under the First Step Act, but more than one month past his release date, Mr. Shipp is still in custody. The New Civil Liberties Alliance has filed a [Complaint](#) and an [Emergency Motion for Temporary Restraining Order and Preliminary Injunction](#) in the U.S. District Court for the District of Columbia, demanding that BOP immediately apply the recalculated good time credits for Shipp and for all other persons in BOP's custody whose release dates have already passed.

Congress passed the First Step Act on December 21, 2018, specifically directing BOP to *immediately* recalculate available good time credits for any person in its custody. The statute amended the good time credits granted by BOP from 47 days per year to 54 days per year, but BOP refuses to implement the statutory changes passed by Congress until July.

BOP's failure to follow the directive of Congress and apply the law as written has resulted in the unlawful custody of Mr. Shipp, who is currently being held in home confinement in Chicago with an ankle monitor.

"The Bureau of Prisons must follow Congress' orders to release prisoners who have lawfully served their sentences. Agencies like BOP cannot wait until it is convenient for them to follow the law. Through this lawsuit, NCLA is holding BOP accountable to the thousands of people nationwide in its custody who should have already been released based on the change in the law."
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—**Caleb Kruckenberg, Litigation Counsel**

ABOUT NCLA

NCLA is a nonprofit civil rights organization founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the administrative state. NCLA's public-interest litigation and other pro bono advocacy strive to tame the unchecked power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans' fundamental rights. For more information visit us online: NCLAlegal.org.

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